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4 UNITED STATES DISTRICT COURT  
5 DISTRICT OF NEVADA  
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7 GIOVANNI K. KURTZE,  
8 Plaintiff,

9 vs.

10 ERIC JOHNSON, et al.,  
11 Defendants.  
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Case No. 2:17-cv-02375-RFB-CWH

**ORDER**

13 Pro se Plaintiff Giovanni Kurtz, who is presently a prisoner in the custody of the Clark  
14 County Detention Center, submitted a civil rights complaint under 42 U.S.C. § 1983 on September  
15 8, 2017. (ECF No. 1). Plaintiff did not pay the full filing fee for this case or file an application to  
16 proceed *in forma pauperis*.

17 Under 28 U.S.C. § 1915(a) and Local Rules (“LSR”) 1-1 and 1-2, an incarcerated plaintiff  
18 seeking to proceed in a case without first paying the filing fee must complete an application to  
19 proceed *in forma pauperis* and attach both an inmate account statement for the past six months  
20 and a properly executed financial certificate. The court will retain Plaintiff’s complaint (ECF No.  
21 1), but will not file it until the matter of the payment of the filing fee is resolved. Plaintiff will be  
22 granted an opportunity to file an application to proceed *in forma pauperis*, or in the alternative, to  
23 pay the full filing fee for this action.

24 IT IS THEREFORE ORDERED that the Clerk of the Court must send Plaintiff the  
25 approved form application to proceed *in forma pauperis* by a prisoner.

26 IT IS FURTHER ORDERED that within thirty days from the date of this order, Plaintiff  
27 must either: (1) file a complete application to proceed *in forma pauperis*, on the correct form with  
28 complete financial attachments in compliance with 28 U.S.C. § 1915(a); or (2) pay the full \$400 fee

1 for a civil action (which includes the \$350 filing fee and the \$50 administrative fee). Plaintiff is  
2 advised that failure to comply with this order may result in a recommendation that his case be  
3 dismissed.

4 IT IS FURTHER ORDERED that the Clerk of the Court must retain the complaint (ECF  
5 No. 1), but must not file it at this time.

6 DATED: September 12, 2017

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9 **C.W. Hoffman, Jr.**  
**United States Magistrate Judge**